

BOROUGH OF WESTWOOD
PUBLIC MEETING OF THE MAYOR & COUNCIL
JULY 17, 2012 MINUTES
MUNICIPAL COMPLEX
101 Washington Avenue
7:00 PM Executive Closed Session/8:00 pm Public Session

1. Opening of the Meeting:

The meeting was called to order by Mayor Birkner at 7:00 pm. Mayor Birkner then read the Open Public Meetings Law Statement: "This meeting which conforms with the Open Public Meetings law, Chapter 231, Public Laws of 1975, is a regular Borough Council meeting. Notices have been filed with our local official newspapers and posted on the municipal bulletin board."

2. Roll Call:

Mayor Birkner – Present	
Councilmember Grefrath –Present	Health & Recreation
Councilmember Miller - Present	Police & OEM
Councilmember Phayre – Present	Finance, Administration & Capital Projects
Councilmember Quinn - Present	Land Use
Councilmember Sciara - Present	Fire & Ambulance
Council President Waneck - Present	Public Properties
Borough Administrator Hoffmann – Present	
Borough Attorney Huntington - Present	
Deputy Borough Clerk Holmes - Present	

3. Resolution #12 - 187 : Executive Closed Session

Motion: Councilmember Miller Second: Councilmember Grefrath

Roll Call: Councilmember Grefrath – Yes	Councilmember Miller – Yes
Councilmember Phayre – Yes	Councilmember Quinn – Yes
Councilmember Sciara – Yes	Council President Waneck – Yes

4. Reopen the Meeting:

Motion to reopen the meeting: Councilmember Miller Second: Councilmember Grefrath

Voice Vote: A voice vote was taken with all present voting in the affirmative.

The time was 8:00 pm.

5. Roll Call II:

Mayor Birkner – Present
Councilmember Grefrath - Present
Councilmember Miller – Present
Councilmember Phayre - Present
Councilmember Quinn – Present
Councilmember Sciara - Present
Council President Waneck – Present
Borough Administrator Hoffmann – Present
Borough Attorney Huntington - Present
Borough Engineer Senkevich - Present
Borough Engineer Boswell - Absent (arrived 9pm)
Deputy Clerk Holmes – Present

6. Flag Salute

Councilmember Miller gave the invocation. Mayor Birkner led those present in the salute to the flag.

7. Minutes – May 15 Public Meeting, May 29 Work Session

Motion to adopt the May 15, 2012 Public Meeting Minutes: Councilmember Grefrath

Second: Council President Waneck

Roll Call:	Councilmember Grefrath – Yes	Councilmember Miller – Yes
	Councilmember Phayre – Yes	Councilmember Quinn – Yes
	Councilmember Sciara – Yes	Council President Waneck – Yes

Motion to adopt the May 29, 2012 Work Session Minutes: Councilmember Grefrath

Second: Council President Waneck

Roll Call:	Councilmember Grefrath – Yes	Councilmember Miller – Yes
	Councilmember Phayre – Yes	Councilmember Quinn – Yes
	Councilmember Sciara – Abstain	Council President Waneck – Yes

8. Reports of Committees and Officials:

A) Mayor's Report

Mayor Birkner said he hopes everyone is having a good summer so far. He also stated that Westwood is moving in a good direction and no major projects to report on. Anything that needs to be discussed will be in the engineers report and the committee reports.

B) Engineer's Report

Mayor Birkner announced that Dr. Boswell is running a little late so Mr. Senkevich will review the bi-weekly report and when Dr. Boswell arrives he will discuss Park & Madison.

1) Bi-weekly Report

Mr. Senkevich reviewed the biweekly report, a copy of which is attached.

2) Broadway Intersection

Mr. Senkevich reported that the County Engineers office has finished 10 sets of plans for the electrical improvements for the Broadway intersection. He also stated the his office will be putting the packets together to send to NJ Transit for their final review and comment.

Mayor Birkner asked what the time frame was for Boswell to prepare the packets and for NJ Transit to review the plans. Mr. Senkevich responded his office should have them out by early next week the latest and it could be a month before we have them back from NJ Transit.

3) Environmental Monitoring Westvale Park

Mr. Senkevich advised that his office is preparing the LURP application for the Phase 3b improvements at the landfill.

4) CDBG Barrier Free Curb Ramps

Mr. Senkevich reported that this project is completed and close out documents are being prepared for final payment.

Councilmember Miller inquired as to how we choose what curbs get done. Mr. Senkevich responded the ramps are done in coordination with which roads are repaved and \$11,000 in grant money was received to complete this project. Councilmember Miller asked if there is a list of curbs cuts to be done. Mr. Senkevich said no, when a road is repaved the ramps get done whether it's a county road or not.

5) 2012 Road Resurfacing Program

Mr. Senkevich stated that this project is also complete except for punch list items.

C) Council Liaison & Committee Reports

1) Finance, Administration and Capital Projects:

a) CFO Position

Councilmember Phayre reported that we're in the process of interviewing for the CFO position and that it will continue into August.

b) Budget Update

Councilmember Phayre stated that the 2013 budget review has begun. We are also looking at our second half expenditures and we're looking at having a finance committee meeting in August.

2) Police and OEM:

a) Police Accreditation Update

Councilmember Miller commented about the resolution on the agenda regarding the \$25,000 grant money received from JIF for the Police recertification and how important it is that the rules we set up are still being followed.

b) Police Dispatch

Councilmember Miller stated that he was made aware the other four municipalities are reviewing numbers to present in the beginning of August.

c) Police Interviews

Councilmember Miller commented that the interview process will start tomorrow and that there are twenty five candidates. He also stated please note this is an interview process only not a commitment to hire.

3) Fire and Ambulance:

a) Ambulance Corps

Councilmember Sciara announced that the Ambulance Corp will be having their annual carnival on July 24-28 at the K-Mart Plaza.

b) Fire Department

Councilmember Sciara reported that he spoke to a representative from United Water about why there hasn't been a swift water training and the representative said he was trying to coordinate with the County OEM Director and that it's not a matter of "if" but "when" they will have the training. He also stated that he has a meeting tomorrow with the United Water representative and our Fire Chief to discuss this training and the potential for some help with the purchase of a rescue boat.

4) Public Properties:

a) Policies

Council President Waneck stated that this email in the book was just a reminder of the policies and items that we want to get started in the fall and no need to review them.

b) DPW

Council President Waneck reported that once a week recycling pick up started on July 4. She also stated that this has freed up our DPW employees to do sewer clean outs and trim the dead trees on the right of ways. Council President Waneck commented that things are working out and hopefully in the future will have the man hour numbers.

5) Land Use:

Councilmember Quinn reported that there hasn't been a Planning Board meeting but they are continuing to work on the Master Plan ordinances. She also stated that due to her vacation she hasn't been to a Zoning Board or Shade Tree meeting but will report on them next month.

6) Health and Recreation:

a) Board of Health

Councilmember Grefrath stated no Board of Health meeting in July.

b) Recreation

Councilmember Grefrath reported that 114 children have registered for the ten additional summer camps and the camps have been very successful.

c) Veterans' Park

Councilmember Grefrath commented that there will be a pre-construction meeting on July 24 and in the beginning of August the work will begin on Quad 2. He also stated that in the fall Mr. Snieckus of Burgis will begin the preliminary plans for Quad 3 and seven memorial benches have been ordered.

D) Attorney's Report

No report.

E) Administrator's / Clerk's Report

a) Community Center Façade

Mr. Hoffmann reported that the wooden facade is peeling away from the brick and that a few of

the bricks on top are bowing. There's a resolution on the agenda not to exceed \$3,200 requesting the Governing Body's approval to have the engineer look at the facade and make a recommendation on how best to repair it. Councilmember Miller questioned what the fund source is and Mr. Hoffmann responded the Community Center Trust Fund but if this ends up being a big project it would become a capital project. Council President Waneck asked if the sewer line and boiler line problems were fixed because you had stated that money was put aside for this. Mr. Hoffmann responded that the boiler line was fixed but he'd have to double check about the sewer line.

b) Reso Opposing PSE&G Rate Increase

Mr. Hoffmann stated that the Borough received a letter about these rate increases and if the Governing Body approves this resolution it will be forwarded to the BPU. He also stated that this was discussed at a recent Pascack Valley Shared Service meeting and our sister communities will be forwarding their resolutions to the BPU.

c) CDBG Open Space Grant

Mr. Hoffmann reported that this grant application is due August 30th. He stated that he spoke to the County and this grant could be applied to resurfacing the tennis courts at McKinley Park. Mayor Birkner questioned whether this was a fully funded grant. Mr. Hoffmann responded no it's a matching grant but to complete the grant we would need input from the engineer and that's what the resolution on tonight's agenda is for.

d) 911 Equipment

Mr. Hoffmann stated that this is being pulled and will be discussed at the August 7 work session.

e) 425 Kinderkamack Road

Mr. Hoffmann stated a letter was received from the BCUA regarding sewer charges and the Borough will be going out to bid for proposals for a cost benefit analysis for a excess user fee system. Mr. Hoffmann anticipated further discussion of 425 Kinderkamack under the engineer's report. Mayor Birkner stated that the sewer was fixed in accordance to the BCUA's plans and that Dr. Boswell is working on a meeting with the BCUA engineering department to review the engineering deficiencies with the metering chamber and vent pipe.

9. Agenda/Public Forum:

Motion to open the Agenda/Public Forum: Council President Waneck

Second: Councilmember Grefrath

Voice Vote: A voice vote was taken with all present voting in the affirmative.

Mr. Cialino, 425 Kinderkamack Rd. - Mr. Cialino voiced his frustrations and concerns over the sewer chamber smell.

Mrs. Cialino, 425 Kinderkamack Rd. - Mrs. Cialino also voiced her frustrations and concerns over the sewer chamber smell.

Roberta Hanlon, 29 Meadow Rd. - Mrs. Hanlon voiced her concerns on the fact that the milling and

paving project on 3rd/4th Avenues coincided with the project on Hillcrest/O'Toole and that she and her neighbors couldn't get to and from their houses. She also stated that she was assured by Mr. Hoffman it was a mistake and it wouldn't happen again but on Friday when paving began it did happen again. Mrs. Hanlon also thanked the Governing Body for the work done on Gritman Pond, it looks great. Mayor Birkner commented that more plantings are scheduled for the fall.

Motion to close the public hearing: Councilmember Phayre

Second: Councilmember Sciara

Voice Vote: A voice vote was taken with all present voting in the affirmative.

10. Ordinances of First & Final Reading:

Ordinances for Adoption

12-19 An Ordinance To Amend Chapter 129-2 Construction Code Fee Schedule A, Specifically To Add Backflow Preventers To The Plumbing Subcode Fees

BE IT RESOLVED that Ordinance #12-19 entitled "An Ordinance To Amend Chapter 129-2 Construction Code Fee Schedule A, Specifically To Add Backflow Preventers To The Plumbing Subcode Fees" having hereby been read by title, shall have a hearing held on this date.

Motion to open the public hearing: Councilmember Quinn Second: Council President Waneck

Voice Vote: A voice vote was taken with all present voting in the affirmative.

Public Comments:

No comments.

Motion to close the public hearing: Councilmember Quinn Second: Councilmember Grefrath

Voice Vote: A voice vote was taken with all present voting in the affirmative.

BE IT RESOLVED that an Ordinance known as #12-19 be passed on final reading and that a Notice of Adoption of said Ordinance be published in the official newspaper according to law.

Motion for final adoption: Council President Waneck Second: Councilmember Grefrath

Roll Call:	Councilmember Grefrath – Yes	Councilmember Miller – Yes
	Councilmember Phayre – Yes	Councilmember Quinn – Yes
	Councilmember Sciara – Yes	Council President Waneck – Yes

12-20 An Ordinance Of The Borough Of Westwood, In The County Of Bergen, New Jersey Providing For Various Renovations To The Borough Library And Related Expenses And Appropriating \$30,000 Therefor From The Borough's Capital Fund

BE IT RESOLVED that Ordinance #12-20 entitled "An Ordinance Of The Borough Of Westwood, In The County Of Bergen, New Jersey Providing For Various Renovations To The

Borough Library And Related Expenses And Appropriating \$30,000 Therefor From The Borough's Capital Fund" having hereby been read by title, shall have a hearing held on this date.

Motion to open the public hearing: Councilmember Quinn Second: Council President Waneck
Voice Vote: A voice vote was taken with all present voting in the affirmative.

Public Comments:
No comments.

Motion to close the public hearing: Council President Waneck Second: Councilmember Quinn
Voice Vote: A voice vote was taken with all present voting in the affirmative.

BE IT RESOLVED that an Ordinance known as #12-20 be passed on final reading and that a Notice of Adoption of said Ordinance be published in the official newspaper according to law.

Motion for final adoption: Council President Waneck Second: Councilmember Grefrath
Roll Call: Councilmember Grefrath – Yes Councilmember Miller – Yes
Councilmember Phayre – Yes Councilmember Quinn – Yes
Councilmember Sciara – Yes Council President Waneck – Yes

12-21 An Ordinance Providing An Appropriation of \$2,068,057 For The Flood Mitigation Acquisition Project For And By The Borough Of Westwood, In The County Of Bergen, New Jersey, From Grants To Be Received By The Borough From The Federal Emergency Management Agency Through The New Jersey Office Of Emergency management And The State Of New Jersey, Department Of Environmental Protection, Green Acres Program

BE IT RESOLVED that Ordinance #12-21 entitled "An Ordinance Providing An Appropriation of \$2,068,057 For The Flood Mitigation Acquisition Project For And By The Borough Of Westwood, In The County Of Bergen, New Jersey, From Grants To Be Received By The Borough From The Federal Emergency Management Agency Through The New Jersey Office Of Emergency management And The State Of New Jersey, Department Of Environmental Protection, Green Acres Program" having hereby been read by title, shall have a hearing held on this date.

Motion to open the public hearing: Council President Waneck Second: Councilmember Phayre
Voice Vote: A voice vote was taken with all present voting in the affirmative.

Public Comments:
No comments.

Motion to close the public hearing: Council President Waneck Second: Councilmember Phayre
Voice Vote: A voice vote was taken with all present voting in the affirmative.

BE IT RESOLVED that an Ordinance known as #12-21 be passed on final reading and that a Notice of Adoption of said Ordinance be published in the official newspaper according to law.

Motion for final adoption: Council President Waneck Second: Councilmember Grefrath

Roll Call: Councilmember Grefrath – Yes	Councilmember Miller – Yes
Councilmember Phayre – Yes	Councilmember Quinn – Yes
Councilmember Sciara – Yes	Council President Waneck – Yes

Mayor Birkner thanked the administrative staff for the hundreds of hours spent putting together these grant applications.

Mr. Hoffman stated there is a resolution on tonight's consent agenda to hire the appraiser and there is a meeting on July 23rd with the FEMA Reps and property owners.

11. Presentation of Bills, Financial Reports and Resolutions:

Mayor Birkner advised that the following Resolutions would be enacted in one motion. Councilmembers who wished to remove any Resolution(s) to be voted upon separately, had the opportunity to do so at this time, and said Resolutions would be considered separately. Resolutions p, q, r, s were added. Councilmember Quinn requested resolution r be removed from the consent agenda for separate vote.

Resolutions as Consent Agenda:

- a) **Resolution #12 - 188: Bill List & Statement of Cash**
- b) **Resolution #12 - 189: Authorizing Redemption of Tax Sale Certificate #12-00008**
- c) **Resolution #12 - 190: Authorizing Redemption of Tax Sale Certificate #12-00009**
- d) **Resolution #12 - 191: Authorizing Redemption of Tax Sale Certificate #12-00015**
- e) **Resolution #12 - 192 : Authorizing Refund of Overpayment of Premium for Tax Sale Certificates #12-00003 & 12-00013**
- f) **Resolution #12 - 193: Authorizing Purchase and Installation of Fencing at the DPW**
- g) **Resolution #12 - 194: Authorizing Purchase of Narrowband Radio Equipment**
- h) **Resolution #12 - 195: 2013-2014 CD Grant Endorsement - Thomas J. Riley Senior Center Corp.**
- i) **Resolution #12 -196: Renewal of Shared Service with Washington Township for Electronic Recycling (107-PVCPS Pascack Valley Cooperative Pricing System)**
- j) **Resolution #12 - 197: Chapter 159 – Police Department Accreditation**
- k) **Resolution #12 - 198: Chapter 159 – Alcohol Education and Rehabilitation Fund**
- l) **Resolution #12 - 199: Authorizing Application for Bergen County Open Space, Recreation, Farmland & Historic Preservation Trust Fund Grant for McKinley Park**
- m) **Resolution #12 - 200: Authorization to Bid Dump Truck/Salter**
- n) **Resolution #12 - 201: Award of Bid for Appraisal Services for FEMA Buyouts**
- o) **Resolution #12 - 202: Renewal of Pascack Theater License**
- p) **Resolution #12 - 203: Authorizing Exploratory Investigation of the Community Center**

Facade

q) Resolution #12 - 204: Authorizing Payment for Emergency Sewer Repair

s) Resolution #12 - 206: Authorizing Settlement Payment to JA Alexander

Motion to adopt resolutions #12-188 through #12-206: Councilmember Grefrath

Second: Council President Waneck

Roll Call: Councilmember Grefrath – Yes Councilmember Miller – Yes
 Councilmember Phayre – Yes Councilmember Quinn – Yes
 Councilmember Sciara – Yes Council President Waneck – Yes

r) Resolution #12 - 205: Opposing PSE&G Rate Increase to Subsidize Solar Programs

Motion to adopt resolutions #12-205: Councilmember Grefrath

Second: Council President Waneck

Roll Call: Councilmember Grefrath – Yes Councilmember Miller – Yes
 Councilmember Phayre – Yes Councilmember Quinn – Abstain
 Councilmember Sciara – Yes Council President Waneck – Yes

Dr. Boswell arrived at 9pm.

Mayor Birkner stated the Governing Body discussed the 425 Kinderkmack Road item. Dr. Boswell commented they will be making some modifications and also stated he told the BCUA those modifications should be funded by them because we fixed this according to their requirements.

Engineer's Report

1) Park & Madison

Dr. Boswell presented the modified plans for Park and Madison Avenue. He stated there are three reasons why this is a cost effective time for the Borough to do this project and we strongly recommend it be done now, #1 it's a small part of a much larger project probably amounting to a ten percent of the whole project #2 construction prices are very low and #3 the inspection will be included with the county inspection saving the Borough about ten percent. The Governing Body asked questions regarding the traffic flow, Second Avenue intersection, traffic calming and the traffic study.

Dr. Boswell commented if the Governing Body wants the improvements to Washington and Third Avenues, Madison Avenue will be closed. He also stated the County will not improve these streets without closing Madison.

**t) Resolution #12 - 207: Memorializing the Acceptance of Park & Madison Avenue
Concept Plan**

Motion to adopt resolutions #12-207: Councilmember Sciara

Second: Councilmember Miller

Roll Call: Councilmember Grefrath – Yes - Construction changes will fit in with Vet
Park improvements

Councilmember Phayre – Yes
Councilmember Sciara – Yes
Councilmember Miller – Yes
Councilmember Quinn – Yes - Has concerns but trusts our Professionals
Council President Waneck – No - Concerns about safety issues and not ready to
increase debt.

12. Adjournment:

Motion to adjourn: Councilmember Sciara Second: Councilmember Miller

Voice Vote: A voice vote was taken with all present voting in the affirmative.

The time was 9:35pm

Attest:

Denise Holmes, Deputy Borough Clerk
Proofed by: Karen Hughes, RMC, Borough Clerk